



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

PKC:DAS/HLJ  
F.#2010R00212

*271 Cadman Plaza East  
Brooklyn, New York 11201*

June 8, 2012

By ECF and Facsimile

The Honorable Edward R. Korman  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Joseph Yannai  
Criminal Docket No. 10-594 (S-1)(ERK)

Dear Judge Korman:

The government submits this letter in response to the defendant's letter, see Docket Entry No. 182 ("Def.'s Ltr."), filed yesterday in opposition to the government's June 7, 2012 requests for, inter alia, a two-week extension of time to file its response to the defendant's motion for a new trial. See Docket Entry No. 181. In her letter, defense counsel claims to have consented to a one-week extension of time for the government to file its brief "on the express condition that the government would not seek any further extensions." Def.'s Ltr. at 1. The undersigned writes to inform the Court that she has no recollection of agreeing to such a condition. Rather, the government understood that defense counsel would consent to a one-week extension but would oppose any requests for additional time.

The government is endeavoring to prepare its response to the defendant's motion as expeditiously as possible. However, the additional time requested by the government is necessary to obtain information from the doctors whose medical opinion the defendant has placed at issue and to contest the arguments raised by the defendant's private physician.

Relatedly, defense counsel notes that she has adjusted her schedule to reply promptly to the government's response by the end of June. The government does not object to any additional time needed by the defense to respond to the government's opposition.

Finally, defense counsel requests that the Court require the government to obtain any expert's written non-disclosure agreement that he or she will be bound by the existing protective order before disclosing copies of the defendant's medical records to the expert. The government does not oppose such a condition.

Respectfully submitted,

LORETTA E. LYNCH  
UNITED STATES ATTORNEY

By: \_\_\_\_/s/\_\_\_\_\_  
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Enclosures

cc: Clerk of the Court (ERK)  
Georgia J. Hinde, Esq. (By ECF)